



DOCKET NO.: P04762
CLIENT NO.: NATI15-04762
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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: JOHN E. GAVLIK, ET AL.
Serial No.: 09/713,643
Filed: November 15, 2000
For: MULTITASKING MICROCONTROLLER FOR
CONTROLLING THE PHYSICAL LAYER OF A
NETWORK INTERFACE CARD AND METHOD OF
OPERATION
Group No.: 2154
Examiner: Ashokkumar B. Patel

MAIL STOP AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

NOTICE OF APPEAL

The Applicant hereby appeals to the Board of Appeals from the decision of the Examiner in the Office Action dated September 22, 2004, finally rejecting Claims 1-22.

A check in the amount of \$620.00 is enclosed in payment for the Notice of Appeal filing fee (\$500.00) and the one month extension of time fee (\$120.00).

The Applicants believe that only a one (1) month extension of time is required with this

NOTICE OF APPEAL.

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In response to the Office Action dated September 22, 2004, the Applicants filed an AMENDMENT AND RESPONSE on November 22, 2004. The Applicants therefore responded to the Office Action within two months of the mailing date of the Office Action. The Examiner issued an Advisory Action on January 24, 2005, which was not within three months from the mailing date of the Office Action.

According to the Office Action and pursuant to MPEP § 706.07(f), the shortened statutory period for replying to the Office Action expires three months from the date of the final rejection or on the mailing date of an Advisory Action, whichever is later. As a result, the shortened statutory period for replying to the Office Action expired on January 24, 2005 (the mailing date of the Advisory Action). The Applicants therefore only require a one (1) month extension of time.

The Commissioner is hereby authorized to charge any additional fees connected with this communication (including any additional extension of time fees) or credit any overpayment to Deposit Account No. 50-0208.

Respectfully submitted,

DAVIS MUNCK, P.C.

Date: Feb. 22, 2005

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